

Exhibits  
B-4

MR-504

COMMONWEALTH OF PENNSYLVANIA

copy 99

NJ

1:CV-00-172F

DATE: 8-27-02

1011

SUBJECT: UNDER ADMINISTRATIVE DIRECTIVE 803

FILED  
HARRISBURG, PA

AUG 30 2002

TO: Branch, Wm CF 3756

FROM: LILIAN ROLLISON  
MAIL INSPECTOR SUPERVISOR  
SCI-WAYMART

MARY E. D'ANDREA, CLERK  
Per Deputy Clerk

YOUR MAIL IS BEING RETURNED TO YOU BECAUSE:

☐

Your letter exceeds the one ounce limit.  
Attach cash slips and resubmit.

☐

You have exceeded your 10 one-ounce, first-class letters.

☐

All Outgoing Mail shall include on the envelope the Inmate's full  
committed name and Institutional number printed legibly.

☐

Permission is required to correspond with Inmate's in other jails.

LR/rf

~~\*~~ Need OFFICIAL APPROVAL

Exhibit B-5

JUDGE'S COPY +00-CV-1728

DC-135A

## INMATE'S REQUEST TO STAFF MEMBER

## COMMONWEALTH OF PENNSYLVANIA

## DEPARTMENT OF CORRECTIONS

## INSTRUCTIONS

Complete Items Number 1-7. If you follow instructions in preparing your request, it can be disposed of more promptly and intelligently.

1. TO: (NAME AND TITLE OF OFFICER)

RHU Sgt. Helker

2. DATE

8-2-02

3. BY: (INSTITUTIONAL NAME AND NUMBER)

WM Branch CF3156

4. COUNSELOR'S NAME

MA McDaniel

5. WORK ASSIGNMENT

Unassigned

6. QUARTERS ASSIGNMENT

RHU

7. SUBJECT: STATE COMPLETELY BUT BRIEFLY THE PROBLEM ON WHICH YOU DESIRE ASSISTANCE. GIVE DETAILS.

Sir I have mailed out legal mail and your shift has put my mail in the mail box without stamping it

This is the second time this has happen from letting you know in order to correct this behavior

I also need some more envelopes because the mail Room open these on you only give 10 per month also need 7 certified mail slips

Respectfully

Inclosed are 3 envelopes open not in the way the mail Room opens mail a Exhibits

8. DISPOSITION: (DO NOT WRITE IN THIS SPACE)

FILED  
HARRISBURG, PA

AUG 30 2002

MARY E. D'ANDREA, CLERK  
Per [Signature] Deputy Clerk

☐ TO DC-14 CAR ONLY☐ TO DC-14 CAR AND DC-15 IRS

STAFF MEMBER

DATE

Exhibit  
B-6

JUDGE ~~Final~~ Appeal  
(Office of Chief Counsel)

1-00-CV-1728

Misconduct #

A275201

8-27-02

WM Branch CF 3756

Attn Chief Hearing Examiner

Po Box 256

1451 N. Market St. Elizabethtown Pa.  
17022  
Pa.

Waymart Pa 18472

I sent in my appeal to misconduct No. A275201  
on 7-26-02 To this Date I have not heard  
from you. Can you respond as the 7 days  
allowed by your office is well passed I await  
your Reply.

Respectfully  
William Branch

**FILED**  
HARRISBURG, PA

AUG 30 2002

MARY E. D'ANDREA, CLERK  
Per SIX  
Deputy Clerk

Exhibit  
B-7

page 1 of 3

JUDGE'S COPY

Final Appeal  
(Office of Chief Counsel)

Misconduct No. A275201

FILED  
HARRISBURG, PA

AUG 30 2002

MARY E. D'ANDREA, CLERK  
Per [Signature]  
Deputy Clerk

WM Branch CF 379

PO BOX 256

Waymart Pa.  
18472ATTN: Chief Hearing Examiner  
1451 W Market St  
Elizabethtown Pa. 17022

Sir/Madame I reported an abuse by Sgt. Mc Andrews he Punched Pushed me and called me a asshole C/o sherman standing by state "I did not see a thing". This was done in Good Faith! the Prison after investigating the matter stated that because No one witness the assault and I did not go to the Hospital, that I was lying and wrote a misconduct.

this misconduct Violates the DC-ADM Policy 001 which has no Punishment for a allegation of abuse that is unproven or Frivolous. The Inmate Handbook does so there is a conflict between the two, Procedurally the Policy controls (see) first Page inmate Handbook at the Bottom. 2.) Point Exhaustion Rule under Subchapter 42 USCA. § 1997e, 1997d, 1997. call for Exhaustion of all administrative Remedies and that a person exercising This Right can not Be

Page 1

quot

"[N]o person Reporting conditions which may constitute a violation under this sub-Chapter shall be subjected to Retaliation in any manner for so Reporting.

Inmate Grievance Policy DC-ADM 804

#### IV Definitions

N. Retaliation an act of vengeance or a threat of action taken against a inmate or staff in response to an inmate complaint of a Problem. Examples include unnecessary discipline etc... unjustified ~~pl~~ transfers or placements, unjustified denial of privilege and services.

Crawford-cl v. Britton 523 U.S. 572 588 N.10,  
118 S. Ct. 1584, 140 L. ed. 2d 759  
(1998)

stating that "[the Reason why..... Retaliation offends the Constitution is that it threatens to inhibit exercise of the Protected Right].

the Right to petition the Government for Grievance  
FIRST amendment and the 8<sup>th</sup> amend. 14<sup>th</sup> amend.  
In Summary the Prison was not authorize by  
DC-ADM 801 ~~to~~ ~~write~~ to write a misconduct by  
Virtue of conflict between the inmate Handbook  
and the Controlling Policy also when the law require  
Exhaustion of administrative remedies there can be no  
Punishment for so doing (you may need to change your  
Page 10)

as it now stands it offends the Constitution)  
 I intend to sue the Prison and the C/O's  
 involved I will be asking for damages of  
 \$100,000.00 one Hundred thousand dollars.

as it is Required of me by the Courts.

I Reported these C/O's to the Prison in Good faith  
 and I told Lt. Vargas that I would  
 not sign anything for the Prison untill  
 I spoke with an attorney my Reasons  
 are simple see How they put me in the  
 RHU and gave me 90 days the max  
 all to cover up for two men that mistreat  
 prisoner and lie about it. out of Control  
 Respectfully.

I affirm that the above is true to the Best  
 of my Knowledge under Penalty of the Law.

also I have been injured at Court by this Prison  
 in that I have missed my Court date in  
 CV-99-3507 Third Circuit appeals court

Date 7-26-02

William Branch

Po Box 256

Waymart Pa 18472